

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

LEHMAN BROTHERS HOLDINGS INC., et al.

Chapter 11
Case No. 08-13555 (SCC)

Debtors.
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**DECLARATION OF RICARDO HECKER PUTERMAN IN SUPPORT OF MOTION OF
FONDO DE PROTECCION SOCIAL DE LOS DEPOSITOS BANCARIOS FOR
SUBSTITUTION OF AGENT FOR RECEIPT OF DISTRIBUTIONS**

Ricardo Hecker Puterman declares the following under penalty of perjury:

1. I am an attorney and member of the Venezuelan law firm HMV Consultores S.C. ("HMV") and duly admitted and am an attorney in good standing to practice law in Venezuela.
2. On May 8, 2018 FOGADE retained me under a Special Power of Attorney. In accordance with the same and as directed by FOGADE I have been asked to serve as FOGADE's agent for the receipt and distribution of disbursements on its behalf in the above-captioned proceedings in place of EJFS. This Declaration is submitted in support of FOGADE's motion for an order substituting me for Escritorio Juridico Financiero Soto & Asociados ("EJFS") as FOGADE's agent for receipt of all distributions and/or payments made to and/or on behalf of FOGADE in the above-captioned proceedings.
3. On September 15, 2008, Lehman Brothers Holding Inc. and 22 of its affiliates (collectively, the "Debtors") filed voluntary petitions for bankruptcy relief under Chapter 11 of 11 U.S.C. §§ 101 *et seq.* (the "Bankruptcy Code").
4. FOGADE is a Venezuelan governmental agency akin to the FDIC and is responsible for the liquidation of failed financial institutions (and their affiliated entities) and for

using the proceeds of such liquidation to pay depositors and satisfy approved debts of the failed institutions.

5. On November 27, 2009, FOGADE was appointed as the liquidator of Banco Canarias de Venezuela, C.A. ("Banco Canarias"). On May 19, 2014, FOGADE was appointed as liquidator of Banco Canarias affiliate Credican, S.A. ("Credican").

6. As the liquidator of both Banco Canarias and Credican, FOGADE is entitled to all monies payable to the two institutions, including any distributions from the above-captioned proceedings.

7. On or about November 2, 2009, Credican and Banco Canarias filed claim numbers 62726, 62722 and 64729 in these bankruptcy Proceedings.

8. On August 26, 2014, FOGADE filed its motion to designate Diaz Reus & Targ, LLP ("DRT") as Agent for receipt of all distributions in the above-captioned proceedings, which relief was granted by the Court on October 28, 2014.

9. Thereafter, FOGADE terminated DRT and appointed Homer Bonner Jacobs, P.A. ("HBJ") as, among other things, Agent for receipt of all distributions in the above-captioned proceedings. On February 5, 2016, FOGADE filed its motion to designate HBJ as Agent for receipt of all distributions in the above-captioned proceedings, which relief was granted by the Court on February 25, 2016 [Docket No. 52212].

10. By Stipulation and Order dated January 26, 2018 [Docket No. 57560] EJFS was substituted for HBJ as agent for the receipt and distribution of disbursements on behalf of FOGADE in the above-captioned proceedings.

11. As noted, and by action of FOGADE's Board and as recently ratified by FOGADE's newly elected President, FOGADE has authorized me to serve as its agent for the

receipt and distribution of disbursements on behalf of FOGADE in the above-captioned proceedings in place of EJFS. By e-mail correspondence, I notified EJFS of FOGADE's decision to substitute it as FOGADE's agent and requested EJFS's cooperation in this transition. Instead, certain technical objections by EJFS were raised concerning my authority, that were without any merit and were, additionally, rendered moot by the directives of FOGADE's newly elected President, ARLEN SIU PIÑATE PEREZ, confirming my appointment and authority with respect to these matters and in accordance with the Power of Attorney vesting me with the right to act on FOGADE's behalf with respect to this case.

12. As a result of the foregoing, EJFS has no authority to act on FOGADE's behalf or receive or retain any distributions and/or payments in connection with FOGADE's claims in these proceedings. I am the only agent authorized by FOGADE to receive any and all future distributions in these proceedings on FOGADE's behalf.

WHEREFORE, FOGADE respectfully requests that this Court enter an Order (i) substituting Ricardo Hecker Puterman for EJFS as FOGADE's agent for receipt of all distributions and/or payments made to and/or on behalf of FOGADE in the above-captioned proceedings; (ii) directing the duly-appointed claims agent to cause the claims register to be updated to reflect Ricardo Hecker Puterman as the sole agent of record for FOGADE's claims in these proceedings; (iii) authorizing and directing the Trustees and Plan Administrators to distribute all amounts due in connection with FOGADE's claims to Ricardo Hecker Puterman, as agent for FOGADE; and (iv) granting FOGADE such other and further relief as to this Court seems just and proper.

Dated: December the 6th, 2018



Ricardo Hecker Puterman